



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/359,260	07/22/1999	ROBERT L. CAMPBELL	P-3250	2590
64154 7590 10/16/2008 David W. Highet, VP & Chief IP Counsel Becton, Dickinson and Company (Antonelli, Terry, Stout & Krause, LLP) 1 Becton Drive, MC 110 Franklin Lakes, NJ 07417-1880				
EXAMINER				
DEJONG, ERIC S				
ART UNIT		PAPER NUMBER		
1631				
MAIL DATE		DELIVERY MODE		
10/16/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: ROBERT CAMPBELL, PERRY HAALAND,
DOUGLAS SHERMAN, WALTER STEWART
and SHEILA LLOYD

Application No. 09/359,260
Technology Center 1600

Mailed: October 16, 2008

Before KRISTA ZELE *Deputy Chief Appeals Administrator*
ZELE, *Deputy Chief Appeals Administrator*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 14, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the

application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

AMENDMENT AFTER FINAL

A review of the file indicates that on September 4, 2007, Appellant filed an Amendment After Final in response to the Final Rejection mailed April 20, 2006. It is not clear whether this Amendment has been considered because an Advisory Action has not been mailed or because box 7 of an Advisory Action fails to indicate whether or not the proposed amendment will or will not be entered for purposes of appeal. Clarification from the Examiner is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) appropriately respond to the Amendment After Final filed September 4, 2007; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

Application No. 09/359,260

KZ/tsj

David W. Highet, VP & Chief IP Counsel
Becton, Dickinson and Company
(Antonelli, Terry, Stout & Krause, LLP)
1 Becton Drive, MC 110
Franklin Lakes, NJ 07417-1880